



**Q:** Is an allowance made for estate debts and expenses?

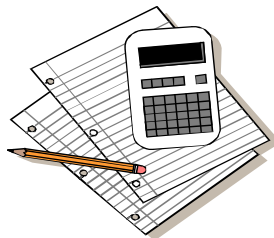
**A:** The value of the estate is reduced by the amount of outstanding debts and certain expenses, including burial expenses.

**Q:** I am currently receiving Medi-Cal benefits. I'd like to start paying off my debt now so that my spouse and family are not burdened later.

**A:** The Department does not have a claim until after your death and the death of your spouse. Nothing is owed during a beneficiary's or surviving spouse's lifetime.

**Q:** I believe that there is an error in the amount of services reflected on the bill. What should I do?

**A:** If you believe there is an error on the bill related to the claim amount or the services provided, you should contact the Collection Representative indicated on the claim letter.



**Q:** I want to pay the claim, but the only estate asset is a home. I would like to keep the home but a lump sum payment is not possible. What can I do?

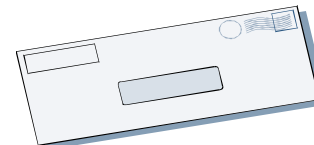
**A:** Whether the estate consists of a home, bank account or other asset, payment options are available. You may contact the collection representative indicated on the claim letter for assistance.

**Q:** Will the State take my house?

**A:** If your estate does not have sufficient other resources to repay Medi-Cal, the State may allow a voluntary lien to be placed on the house to ensure payment of its claim.

#### **CONTACT INFORMATION**

Department of Health Services  
Estate Recovery Unit  
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CALIFORNIA DEPARTMENT OF HEALTH SERVICES

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## **MEDI-CAL ESTATE RECOVERY PROGRAM**

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### **INFORMATION PAMPHLET**

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*This pamphlet offers an overview of the  
Estate Recovery Program.  
For additional information,  
please contact the  
Department of Health Services.*

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## MEDI-CAL ESTATE RECOVERY PROGRAM

The Medi-Cal Program pays for medical care for some people whose savings and income are too low for them to be able to pay for their own care. Those people, in turn, may be required to pay the medical care costs back to Medi-Cal from what they owned when they died. The amount repaid can then be used to pay for care for others who need it.

## ACCOMPLISHING THE MISSION

After receiving notification regarding the death of a person who received Medi-Cal benefits, the Department of Health Services will decide whether or not the cost of services must be paid back. In making this decision, the Department will consider how much was paid by Medi-Cal and what is left in the estate of the deceased Medi-Cal beneficiary. Regardless of what is owed, the Department will never collect more than the value of the assets owned by the person who received Medi-Cal at the time of his/her death.



## ESTATE RECOVERY CASES

The Department of Health Services cannot require reimbursement under the following circumstances:

- During the lifetime of a surviving spouse.
- For Medi-Cal services provided before the beneficiary's 55<sup>th</sup> birthday (unless the beneficiary is institutionalized).
- If the Medi-Cal beneficiary is survived by a child under 21 years old.
- If the Medi-Cal beneficiary is survived by a child who is blind or disabled (as defined by the Federal Social Security Act).

## ► FREQUENTLY ASKED QUESTIONS

**Q:** What laws govern the Estate Recovery Program?

**A:** The rights and responsibilities of the Department of Health Services, Health Care Providers, Medi-Cal Beneficiaries and their representatives are outlined in the California Code of Regulations, Title 22, §50960-50964; California Medical Assistance Program, Division 3, Subdivision 1, Article 19; Welfare and Institutions Code (W&IC) §14009.5; Probate Code § 215, 9202 and 9203; and the United States Code (USC) Sec. 1396.

**Q:** How is the obligation to repay Medi-Cal for health care services established?

**A:** California law requires that the estate attorney, executor, administrator, heir(s), or anyone who receives assets from a deceased Medi-Cal beneficiary, must provide written notice and a copy of the death certificate to the Department of Health Services within 90 days of the beneficiary's death. Notice of death should be forwarded to the Director, c/o the Department's Estate Recovery Unit, at PO Box 2471, Sacramento, CA 95812-2471. Notice to the County or Social Security Administration does not satisfy this requirement. The Department of Health Services can present a claim within four months of receiving the notice of death.

**Q:** What if I cannot afford to pay the Estate Recovery claim?

**A:** The Department may waive or reduce its claim if payment of the claim would cause an undue hardship. A Hardship Waiver application is included with each claim. You may contact the Department of Health Services for further information.